

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Bristol-Myers Squibb Company,

Case No. 22-cv-1283 (KMM/JFD)

Plaintiff,

v.

Nanocopoeia, LLC,

**ORDER  
SETTING BRIEFING SCHEDULE  
FOR CLAIM CONSTRUCTION**

Defendant.

The Court received competing proposals from Plaintiff Bristol-Myers Squibb Company and Defendant Nanocopoeia, LLC for a schedule regarding claim construction. The parties largely agree on the procedure for handling claim construction, with Nanocopoeia proposing a faster briefing schedule and Bristol-Myers proposing a slower one. The Court has reviewed both proposals and adopts the following briefing schedule:

<b>Event</b>	<b>Date</b>
Nanocopoeia serves amended Invalidity Contentions with amendments limited to the issue of indefiniteness	Wednesday, May 24, 2023
Parties file Joint Claim Construction Statement	Wednesday June 7, 2023
Opening Claim Construction Briefs with expert declarations	Monday June 26, 2023
Rebuttal Claim Construction Briefs with rebuttal expert declarations	Monday, July 24, 2023
Reply Claim Construction Briefs with reply expert declarations	Monday, August 7, 2023
Claim Construction Hearing	Thursday, August 17, 2023

The Court intends to decide the claim construction issues based on expert declarations, without depositions or live testimony at this stage. The Court also adopts the word limits agreed to by the parties. Opening claim construction briefs will be limited to 8,000 words per side, responsive claim construction briefs will be limited to 8,000 words per side, and reply claim construction briefs will be limited to 4,000 words per side. Opening expert declarations will be limited to 10,000 words per side, responsive expert declarations will be limited to 10,000 words per side, and reply expert reports will be limited to 5,000 words per side.

Date: May 31, 2023

s/ Katherine Menendez  
Katherine Menendez  
United States District Judge